Amendments to the Drawings

The attached replacement sheet of the drawings includes changes to FIG. 1.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

Applicants amended FIG. 1 as shown in the attached Replacement Sheet to label the read formatter as "36" as requested by the Examiner to overcome this objection to the drawings on pg. 2 of the Specification.

The Examiner objected to the drawings on the grounds that the "tape cartridge 26" in FIG. 1 is not mentioned in the Specification. (Office Action, pg. 2) Applicants traverse this objection because the last line of paragraph [0015] includes a reference to the "tape cartridge 26".

Applicants amended the Specification to make the corrections noted by the Examiner in the Objections on p. 3 of the Office Action.

Applicants amended the claims as requested by the Examiner to overcome the claim objections on pg. 4 of the Office Action.

1. <u>The Amended Claims Comply with 35 U.S.C. §112, par. 2</u>

Applicants submit the following amendments to make the corrections requested by the Examiner to overcome the indefiniteness rejection on pg. 5 of the Office Action.

Applicants amended claims 3, 15, and 29 to provide a definition of "VFO" as disclosed in the Specification, in at least para. [0002], pg. 1

Applicants amended claims 8, 20, and 34 to define that "m/n" is an "encoding rate", such as disclosed in the Specification in at least paras. [0028] and [0041].

Applicants further amended claims 10, 11, 22, 23, 34, and 36 to consistently use the term "encoding rate" and to correct the noted lack of antecedent basis.

2. <u>The Claims are Patentable Over the Cited Art</u>

The Examiner rejected claims 1-38 as anticipated (35 U.S.C. §102(b)) by Blaum (U.S. Patent No. 5,999,110). Applicants traverse for the following reasons.

Claims 1, 13, and 27 concern providing synchronization in a binary data stream, and require: receiving the binary data stream; generating a synchronization mark having at least one isolated peak into at least one point in the binary data stream; forming an encoded data stream by concatenating the synchronization mark with the received binary data stream; and during

decoding, detecting the synchronization mark based on error propagation occurring adjacent to the at least one isolated peak of the synchronization mark.

The Examiner found that Blaum discloses that the sync detector 48 during decoding detects the synchronization mark based on error propagation occurring adjacent to the at least one isolated peak of the synchronization mark. (Office Action, pg. 6) However, the Examiner did not cite any specific section of Blaum as disclosing this claim requirement.

Applicants submit that the Examiner has not cited any part of Blaum that discloses the claim requirement of detecting the synchronization mark based on error propagation occurring adjacent to the at least one isolated peak of the synchronization mark. Blaum mentions that the error tolerant synchronization mark is a fixed length encoded pattern being at maximum Hamming distance from the concatenated known VFO pattern. As a result, no portion of the synchronization pattern is likely to be confused with the VFO pattern, and the synchronization pattern is unlikely to be recognized until the full pattern is encountered. (Blaum, col. 5, lines 55 to col. 6, line 4). Nowhere does this cited Blaum anywhere disclose or mention detecting the synchronization mark based on error propagation occurring adjacent to the at least one isolated peak of the synchronization mark.

If the Examiner maintains this rejection, Applicants request that the Examiner identify specifically where Blaum discloses detecting the synchronization mark based on error propagation occurring adjacent to the at least one isolated peak of the synchronization mark. Applicants further request that the Examiner cite to specific sections of the cited references that disclose the independent claim requirements. See, 37 CFR 1.104(c)(2) ("When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable"); MPEP 707, pg. 700-108, (Rev. 3, Aug. 2005). Applicants submit that Blaum discloses inventions other than claimed by Applicant because the Examiner has not shown where Blaum discloses detecting the synchronization mark based on error propagation occurring adjacent to the at least one isolated peak of the synchronization mark. Thus, under 37 CFR 1.104(c)(2), the Examiner is required to designate the particular parts of Blaum relied upon as disclosing this claim requirement.

Accordingly, claims 1, 13, and 27 are patentable over the cited art because the cited Blaum does not disclose all the claim requirements.

Claims 2-12, 14-26, and 28-38 are patentable over the cited art because the depend from one of claims 1, 13, and 27, which are patentable over the cited art for the reasons discussed above.

Applicants traverse the rejection of the dependent claims because the Examiner did not cite any specific sections of Blaum as teaching the claim requirement. If the Examiner maintains the rejection, Applicants request that the designate the specific sections of Blaum that teach the dependent claim requirements to allow Applicants an opportunity to evaluate the Examiner findings. As discussed, Blaum discloses inventions other than claimed by Applicants because the Examiner has not shown where Blaum discloses detecting the synchronization mark based on error propagation occurring adjacent to the at least one isolated peak of the synchronization mark. Thus, under 37 CFR 1.104(c)(2), the Examiner is required to designate the particular parts of Blaum relied upon as disclosing this claim requirements.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-38 are patentable over the art of record. Applicants have not added any claims. Applicants submit this amendment with a Petition for a One Month Extension of Time and an Information Disclosure Statement (IDS). Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0466.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: January 20, 2006

By:

David W. Victor
Registration No. 39,867

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984